

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH, WILDLIFE AND PARKS

Call to Order: Chairman Kendall Van Dyk, on March 12, 2009 at
3:07 P.M., in Room 152 Capitol

ROLL CALL

Members Present:

Rep. Kendall Van Dyk, Chairman (D)
Rep. Gordon R. Hendrick, Vice Chairman (R)
Rep. Paul Beck (D)
Rep. Carlie Boland (D)
Rep. Joel Boniek (R)
Rep. Frosty Boss Ribs (D)
Rep. Mike Miller (R)
Rep. Ken Peterson (R)
Rep. JP Pomnichowski (D)
Rep. Scott Sales (R)
Rep. Cary Smith (R)
Rep. Ted Washburn (R)
Rep. Jeffery Welborn (R)

Members Excused: None

Members Absent: Rep. Dave McAlpin, Vice Chairman (D)
Rep. Dick Barrett (D)
Rep. Jill Cohenour (D)
Rep. Jesse O'Hara (R)
Rep. Mike Phillips (D)

Staff Present: Bryce Bennett, Committee Secretary
Doug Sternberg, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 32; SB 202; SB 404; SJ 15; SJ 19

Executive Action: SB 184; SB 185; SB 188

EXECUTIVE ACTION ON SB 184

00:00:59 **Motion:** Rep. Hendrick moved that **SB 184 BE CONCURRED IN.**

Discussion:

00:01:28 Rep. Pomnichowski

00:01:57 **Vote:** Motion carried unanimously by voice vote.
Rep. Barrett, Rep. Cohenour, Rep. McAlpin, Rep. O'Hara
and Rep. Phillips voted by proxy. Chairman Van Dyk
will carry the bill in the House.

EXECUTIVE ACTION ON SB 185

00:02:39 **Motion:** Rep. Hendrick moved that **SB 185 BE CONCURRED IN.**

Discussion:

00:02:47 Rep. Sales

00:03:31 Chairman Van Dyk

00:05:06 Rep. Hendrick

00:05:33 Rep. O'Hara arrived.

00:06:07 **Vote:** Motion passed 16-2 by voice vote with
Rep. Pomnichowski and Rep. Sales voting no.
Rep. Barrett, Rep. Cohenour, Rep. McAlpin and
Rep. Phillips voted by proxy. Chairman Van Dyk will
carry the bill in the House.

HEARING ON SB 32

Opening Statement by Sponsor:

00:06:58 Sen. Gregory Barkus (R), SD 4, opened the hearing on SB 32, Allow chiropractor & physical therapist to certify disability for hunting purposes.

Proponents' Testimony:

00:07:35 Mark Staples, Montana Chiropractic Association
00:08:47 Dr. Vince Matteo, President, Montana Chiropractors Association
00:09:36 Margaret Morgan, Montana Association of Physical Therapists

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:10:33 Rep. Washburn
00:10:54 Sen. Barkus
00:10:55 Rep. Washburn
00:11:05 Sen. Barkus
00:11:20 Rep. Hendrick
00:11:44 Sen. Barkus
00:12:03 Rep. Smith

Closing by Sponsor:

00:12:40 Sen. Barkus

HEARING ON SJ 19

Opening Statement by Sponsor:

00:13:30 Sen. Jim Peterson (R), SD 15, opened the hearing on SJ 19, Urge federal government manage CMR wildlife refuge consistent with enabling law.
00:13:54 Rep. McAlpin arrived.

Proponents' Testimony:

00:17:16 Vicky Marquis, Missouri River Conservation Districts Council

00:21:18 Nicole Rolf, Montana Farm Bureau Federation
00:23:31 Carl Seilstad, Commissioner, Fergus County Commission
00:25:21 Jeff Tiberi, Montana Association of Conservation
Districts

EXHIBIT(fih55a01)

00:26:13 Jay Bodner, Montana Stock Growers Association/ Montana
Public Lands Council
00:29:47 Dean Rogge, Garfield County Conservation District
00:32:01 Rex Phipps, Garfield County Bank
00:36:14 Monte Billing, self

Opponents' Testimony:

00:37:35 Janelle Holden, The Wilderness Society
00:37:50 Rep. Cohenour arrived.
00:40:58 Mark Good, Montana Wilderness Association

EXHIBIT(fih55a02)

00:44:03 Mary Jones, self

EXHIBIT(fih55a03)

00:48:14 Ron Moody, self
00:52:23 Larry Copenhaver, Montana Wildlife Federation
00:54:29 Arlo Skceri, self
00:58:49 Casey Perkins, Montana Audubon
01:00:38 Hugo Tureck, self

Informational Testimony: None

Questions from Committee Members and Responses:

01:02:54 Rep. Smith
01:03:25 Mr. Phipps
01:03:38 Rep. Smith
01:03:52 Mr. Phipps
01:05:08 Rep. Peterson
01:05:24 Mr. Phipps
01:06:27 Rep. Peterson
01:06:45 Mr. Phipps
01:07:17 Rep. Peterson
01:07:49 Ms. Jones
01:08:15 Rep. Peterson
01:08:30 Ms. Jones

EXHIBIT(fih55a04)

01:08:46 Rep. Smith
01:09:21 Ms. Rolf
01:09:53 Rep. Smith
01:10:01 Ms. Marquis
01:12:48 Rep. Pomnichowski
01:13:26 Mr. Tiberi
01:14:11 Rep. Pomnichowski

01:14:38 Ms. Marquis
01:15:52 Rep. Pomnichowski
01:16:07 Ms. Marquis
01:16:42 Rep. Pomnichowski
01:16:51 Ms. Marquis
01:17:11 Rep. Peterson
01:17:38 Ms. Marquis

Closing by Sponsor:

01:18:36 Sen. Peterson

01:20:29 Rep. Hendrick recognized the St. Regis High School government class.

HEARING ON SB 202

Opening Statement by Sponsor:

01:21:59 Sen. Greg Hinkle (R), SD 7, opened the hearing on SB 202, Prohibit feeding of certain wildlife.

[EXHIBIT\(fih55a05\)](#)

Proponents' Testimony:

01:34:37 Ken McDonald, Wildlife Division Administrator, Department of Fish, Wildlife, and Parks (FWP)

[EXHIBIT\(fih55a06\)](#)

01:37:53 John Youngberg, Montana Farm Bureau
01:38:29 Mr. Bodner
01:39:03 Ms. Perkins

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:39:54 Rep. Miller
01:40:21 Mr. McDonald
01:40:29 Rep. Miller
01:40:33 Mr. McDonald
01:41:09 Rep. Washburn
01:41:46 Mr. McDonald
01:42:13 Rep. Washburn
01:42:27 Hope Stockwell, Research Analyst, Legislative Services Division (LSD)

01:43:01 Rep. Washburn
01:43:11 Mr. McDonald
01:43:14 Rep. Washburn
01:43:19 Mr. McDonald

Closing by Sponsor:

01:43:57 Sen. Hinkle

HEARING ON SB 404

Opening Statement by Sponsor:

01:47:19 Sen. John Brueggeman (R), SD 6, opened the hearing on
SB 404, Revise laws relating to the location of
shooting preserves.

Proponents' Testimony:

01:50:39 Bill Warden, self
[EXHIBIT\(fih55a07\)](#)

Opponents' Testimony: None

Informational Testimony:

01:54:16 Mr. McDonald
[EXHIBIT\(fih55a08\)](#)

Questions from Committee Members and Responses:

01:57:54 Rep. Washburn
01:58:34 Sen. Brueggeman
01:59:50 Rep. Pomnichowski
02:00:34 Tim Feldner, Preserve License Administrator, FWP
02:01:55 Rep. Pomnichowski
02:02:14 Mr. Feldner
02:04:20 Rep. Peterson
02:04:53 Mr. McDonald
02:05:26 Rep. Peterson
02:05:44 Mr. McDonald
02:06:00 Rep. Peterson
02:06:11 Mr. McDonald
02:06:58 Rep. Cohenour
02:07:47 Mr. Feldner

Closing by Sponsor:

02:08:48 Sen. Brueggeman

HEARING ON SJ 15

Opening Statement by Sponsor:

02:10:48 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on
SJ 15, Urge vigorous defense of gray wolf delisting.
[EXHIBIT\(fih55a09\)](#)

Proponents' Testimony:

02:14:28 Chris Smith, Deputy Director, FWP
[EXHIBIT\(fih55a10\)](#)
02:16:43 Mr. Bodner
02:18:31 Mr. Youngberg
02:20:04 Ms. Perkins

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:20:43 Rep. Welborn
02:21:26 Mr. Smith

Closing by Sponsor:

02:23:02 Sen. Tutvedt

EXECUTIVE ACTION ON SB 188

02:24:30 **Motion:** Rep. Hendrick moved that **SB 188 BE CONCURRED
IN.**

Discussion:

02:24:41 Rep. Pomnichowski

02:24:53 **Vote:** Motion carried unanimously by voice vote.

HOUSE COMMITTEE ON FISH, WILDLIFE AND PARKS

March 12, 2009

PAGE 8 of 9

Rep. Barrett, Rep. Boland, Rep. McAlpin and
Rep. Phillips voted by proxy.

ADJOURNMENT

02:25:40 Adjournment: 5:32 P.M.

Bryce Bennett, Secretary

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Additional Exhibits:

Arlo Skari

[EXHIBIT\(fih55a11\)](#)

Mark Good

[EXHIBIT\(fih55a12\)](#)

Additional Documents:

[EXHIBIT\(fih55aad.pdf\)](#)